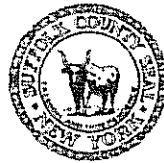


# **EXHIBIT B**

## COUNTY OF SUFFOLK

Z-2



Steven Bellone  
SUFFOLK COUNTY EXECUTIVE  
Department of  
Economic Development and Planning

Joanne Minieri  
Deputy County Executive and Commissioner

Division of Planning  
and Environment

STAFF REPORT  
SECTIONS A14-14 THRU A14-25 OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

Applicant: Delaware North Islandia Properties LLC  
Municipality: Village of Islandia  
Location: n/e/c of Express Drive North (L.I.E. Service Road) and Bedford Avenue

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Received: 7/21/2016  
File Number: Is-16-01  
T.P.I.N.: 0504 00800 0200 058002  
Jurisdiction: adjacent to NYS Route 495 (Long Island Expressway).

## ZONING DATA

- Zoning Classification: OI / Office Industrial
- Minimum Lot Area: 5 acres
- Section 278: N/A
- Obtained Variance: Existing 10 story hotel where maximum building height is 4 stories.

## SUPPLEMENTARY INFORMATION

- Within Agricultural District: No
- Shoreline Resource/Hazard Consideration: No
- Received Health Services Approval: No
- Property Considered for Affordable Housing Criteria: No
- Property has Historical/Archaeological Significance: No
- Property Previously Subdivided: No
- Property Previously Reviewed by Planning Commission: No
- SEQRA Information: Yes
- SEQRA Type: EAF and Expanded  
Environmental Assessment  
Report – Revised July 2016
- Minority or Economic Distressed: No

**SITE DESCRIPTION**

- Present Land Use: Hotel
- Existing Structures: 216,650 SF, 278-room hotel (including 13 suites), with meeting rooms, a pool, bar and restaurant, and fitness room.
- General Character of Site: Gradually sloping up then level
- Range of Elevation within Site: 85-115' amsl
- Cover: 10 story hotel and associated asphalt parking lot
- Soil Types: Riverhead sandy loam & Haven associations.
- Range of Slopes (Soils Map): 0-15%
- Waterbodies or Wetlands: None

**NATURE OF SUBDIVISION/ NATURE OF MUNICIPAL ZONING REQUEST**

- Type: Special Permit for an Accessory Use
- Layout: Standard – As built
- Area of Tract: 7.88 Acres
- Yield Map: Not applicable
- Open Space: None indicated

**ACCESS**

- Roads: Existing: 1) Express Drive North (LIE service Road); 2) Bedford Avenue; and 3) Raymond Drive. All providing vehicular access.
- Driveways: Private

**ENVIRONMENTAL INFORMATION**

- Stormwater Drainage
  - Design of System: Existing Catch basins - leaching pools
  - Recharge Basins: No
- Groundwater Management Zone: VII
- Water Supply: S.C.W.A.
- Sanitary Sewers: S.C. Sewer District #13 - Windwatch

**PROPOSAL DETAILS**

**OVERVIEW** – Applicants request Special Permit approval from the Islandia Village Board of Trustees for an accessory video lottery gaming facility at an existing Islandia Marriott Long Island Hotel. The proposed accessory use would consist of Video Lottery Terminals (VLTs) facility, Suffolk Off-Track Betting (OTB) simulcast location, food and beverage locations, and back-of-house support areas. Proposed modifications to the existing hotel would primarily be interior reallocations of spaces. Specifically, 2 suites and 31 guest rooms, existing meeting rooms, banquet rooms and the pool would be replaced with approximately 30,255 SF of gaming area (13.9% of the overall 216,650 SF hotel).

The subject parcel is 7.88 acres in size, within the OI (Office Industry) zoning district. Access to the property is found on the north side of Express Drive North, east side of Bedford Avenue and south side of Raymond Drive. The subject property is currently developed with a 10 story- 278-room hotel (including 13 suites), with meeting rooms, a pool, bar and restaurant, and fitness room. 649 parking spaces are currently provided on-site.

Proposed modifications to the existing hotel would be primarily interior, one modification is to the northeast corner of the building to ally for a 'sally port', or security entry to the building, that would eliminate 6 parking space, resulting in a total of 643 on-site parking spaces.

Storm water runoff generated from the existing site improvements is collected in catch basins leaching pools and drywell structures located throughout the parking areas.

Sewage disposal for the existing hotel is handled via connection to the existing sewer main, located on Bedford Avenue, which then connects to the Suffolk County Municipal Sewer District #13 – Windwatch Facility.

The surrounding zoning and land use pattern in the vicinity of the subject property are predominately a mix of light industrial (consisting of office and distribution/warehouse) uses, and vacant Office Industry zoned lands to the north and west; to the east is developed and undeveloped low density residential, light industrial, commercial, and a Town of Islip owned 'park & ride' lot. To the south is the Long Island Expressway, and then medium to high density residential development.

The Islandia Marriott Hotel operates under a special permitted granted by the Village Board of Trustees, the proposed accessory video lottery gaming and OTB simulcast facility (as an indoor amusement use) must also receive special permit approval from the Village of Islandia Board of Trustees.

## STAFF ANALYSIS

**GENERAL MUNICIPAL LAW CONSIDERATIONS:** New York State General Municipal Law, Section 239-I provides for the Suffolk County Planning Commission to consider inter-community issues. Included in such issues are compatibility of land uses, community character, public convenience and maintaining of a satisfactory community environment.

The subject property is not within 500 feet of another municipality and does not trigger the requirements of section A14-15 of the Suffolk County Administrative Code.

The proposed special permit request is for the reallocation of floor space within an existing building that in the past has been compatible with adjacent land uses. The request is atypical since there have been no other video gaming facilities established within Suffolk County before the current proposal. The subject property is surrounded by office-industry zoning on three sides and residential zoning on one property line to the east.

In terms of the compatibility of land uses, the principal use (hotel) has not changed and the physical properties of the site remain constant, the physical character of the community remains unchanged by the proposal as there are no major modifications to the exterior of the principal building. With respect to public convenience and maintaining of a satisfactory community environment, there is some input from the public with respect to alleged adverse effects to the public convenience and community environment (see below discussions on Transportation and Public Safety).

**LOCAL COMPREHENSIVE PLAN RECOMMENDATIONS:** The Inc. Village of Islandia Comprehensive Plan Update, August 2003 has no specific recommendations for the subject property. The existing hotel, as well as, the proposed accessory use is permitted, by special permit from the Village Board of Trustees, pursuant to the Village of Islandia Zoning Law. As such, the proposed action is not anticipated to contravene local comprehensive plan recommendations.

## SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

The Suffolk County Planning Commissions has identified six general Critical County Wide Priorities and include:

- 1 Environmental Protection

2. Energy efficiency
3. Economic Development, Equity and Sustainability
4. Housing Diversity
5. Transportation and
6. Public Safety

These policies are reflected in the Suffolk County Planning Commission Guidebook (unanimously adopted July 11, 2012). Below are items for consideration regarding the above policies.

Storm water runoff from impervious surfaces of the existing hotel-accessory video gaming facility and parking area is intended to be captured and discharged to dry wells. The applicants are required to continue to comply with NYS SWPP and Village of Islandia storm water regulations. There is no indication that the applicant has reviewed the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies.

The application referral materials to the Suffolk County Planning Commission indicate that waste water from the existing hotel and VLT, OTB facility, will continue to be collected and conveyed to the existing Windwatch sewage treatment plant.

No mention of the consideration of energy efficiency is provided in the referral material to the Suffolk County Planning Commission. There is no indication that the applicant has reviewed the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency.

The applicants put forth that "the proposed action would benefit the surrounding community by providing approximately 150 full-time-equivalent (FTE) jobs, as well as an alternative indoor amusement venue (i.e., VLTs) that does not currently exist in Suffolk county. This would be accomplished by modifying interior spaces of an existing hotel, which has been established in the community for over 30 years, without requiring any upgrades or modifications to existing infrastructure, such as water supply connections or wastewater disposal." Application material goes on to indicate that "the attraction of the only VLT facility in Suffolk county would draw people to this location as a destination that would have positive economic impacts on surrounding businesses in the area (e.g., shopping and restaurants), and not just the hotel itself."

An expanded Environmental Assessment was included in referral materials from the Inc. Village of Islandia to the Suffolk County Planning Commission. Within the EA was included a traffic Impact study (TIS) that was prepared by the applicants engineer (VHB) to review the existing roadway and traffic conditions in the area. The applicant notes that an earlier version of the TIS prepared in June 2016, "analyzed the traffic associated not only with the project site, but also traffic formerly to be redistributed to an off-site satellite parking lot that would be used during peak parking demand periods – primarily on Friday and Saturday evenings. The satellite parking has since been removed from the scope of the project due to a proposed on-site valet parking plan prepared by the applicant's architect." Referral material continues to read "the removal of the satellite parking lot from the project substantially reduces the amount of traffic generated by the project, simply because patrons would no longer be directed to a satellite parking lot when on-site parking is at capacity. As a result, there is substantially less traffic exiting the site during the peak hours studied. There is also no longer the need for shuttle buses to take patrons to and from the satellite parking lot. All of which substantially reduce the amount of traffic generated by this site. Since the results of the prior analysis indicated that all intersections would operate at acceptable levels of service and that there would be no mitigation required, the original analyses were not updated." The TIS concludes that "the proposed renovations to the hotel would result in increased traffic generation that can be accommodated by the surrounding street network..." and "...all study intersections would operate well in the Build condition with acceptable levels of service (LOS)"

The subject property fronts on the Long Island Expressway (NYS 495 ROW) and immediate traffic issues are the jurisdiction of the NYS Department of Transportation (North and South service roads to NYS 454 and Old Nichols Rd (Town Road). Secondary intersections within the jurisdiction of Suffolk County, including Bedford Avenue/ Motor Parkway (CR 67) and Old Nichols Road /CR 67 were also determined to operate well in the Build condition analysis. Suffolk County Planning Commission staff is of the understanding that DPW has not received any referral material from the Village or applicant to officially review regarding any impacts to CR 67, Motor Parkway at Bedford Ave and Old Nichols Road.

Suffolk County Planning Commission staff notes that it can be found in the literature that modern Indoor Recreation Facilities of this kind including VTL's attract a majority of low-income workers and retirees that generally come from nearby (approximately 10 miles). A review of Suffolk County Transit Bus Routes indicates that there is no bus route servicing the project site. The closest route is located on Old Nichols Road to the east or NYS Rte. 454 to the west. Pedestrians would need to walk several miles to connect with either bus route.

The subject property is located several miles to the north from the Central Islip LIRR train station. No mass transit route connects the LIRR station to the project site.

The applicant has stated that:

It is often perceived that the introduction of gaming facilities causes an increase in crime, although analysis prepared by The National Gambling Impact Study Commission (NGISC), created by Congress in 1996 to assess the relationship between gambling and levels of crime, as well as The Public Sector Gaming Study Commission (PSGSC), formed in 1999 by the National Council of Legislators from Gaming States (NCLGS) to provide public sector advice about gaming, indicates that there is no direct or quantifiable correlation between legalized or casino-style gambling and crime. Moreover, the NCLGS stated, "the security on the premises of gambling facilities, the multiple layers of regulatory control, and the economic and social benefits that gaming seems to offer to communities are effective deterrents of criminal activity."

Nevertheless, little more discussion is made in the application to the Inc. Village of Islandia and referred to the Commission on public safety. There is no indication that the applicant has reviewed the Planning Commission guidelines particularly related to public safety to address typical concerns related to gambling establishments such as the increases in assault, motor vehicle theft, prostitution and sex offenses, drug violations, DUI, public drunkenness and disorderly conduct, etc.. Lighting, while ideally being "Dark Sky" compliant should provide a sense of security to patrons and neighboring properties.

Little discussion is made in the petition to the Incorporated Village of Islandia and referred to the Commission on universal design. It is not apparent from the referral material that the applicants have reviewed the Commissions guidelines on universal design.

It should be noted that a Special Permit application referral from the Inc. Village of Islandia was received on April 13, 2016 and was returned to the Village as a Local Determination (LD) on April 26, 2016. The subject change of use referral did not trigger any of the Suffolk County Planning Commission Regionally Significant criteria:

- the facility remains connected to an established municipal sewer district,
- does not physically alter twenty acres or more,
- parking is unchanged at 649 off street parking stalls (1,000 stall criteria) and
- interior renovations of the existing hotel total approximately 30,000 SF (less than 100,000

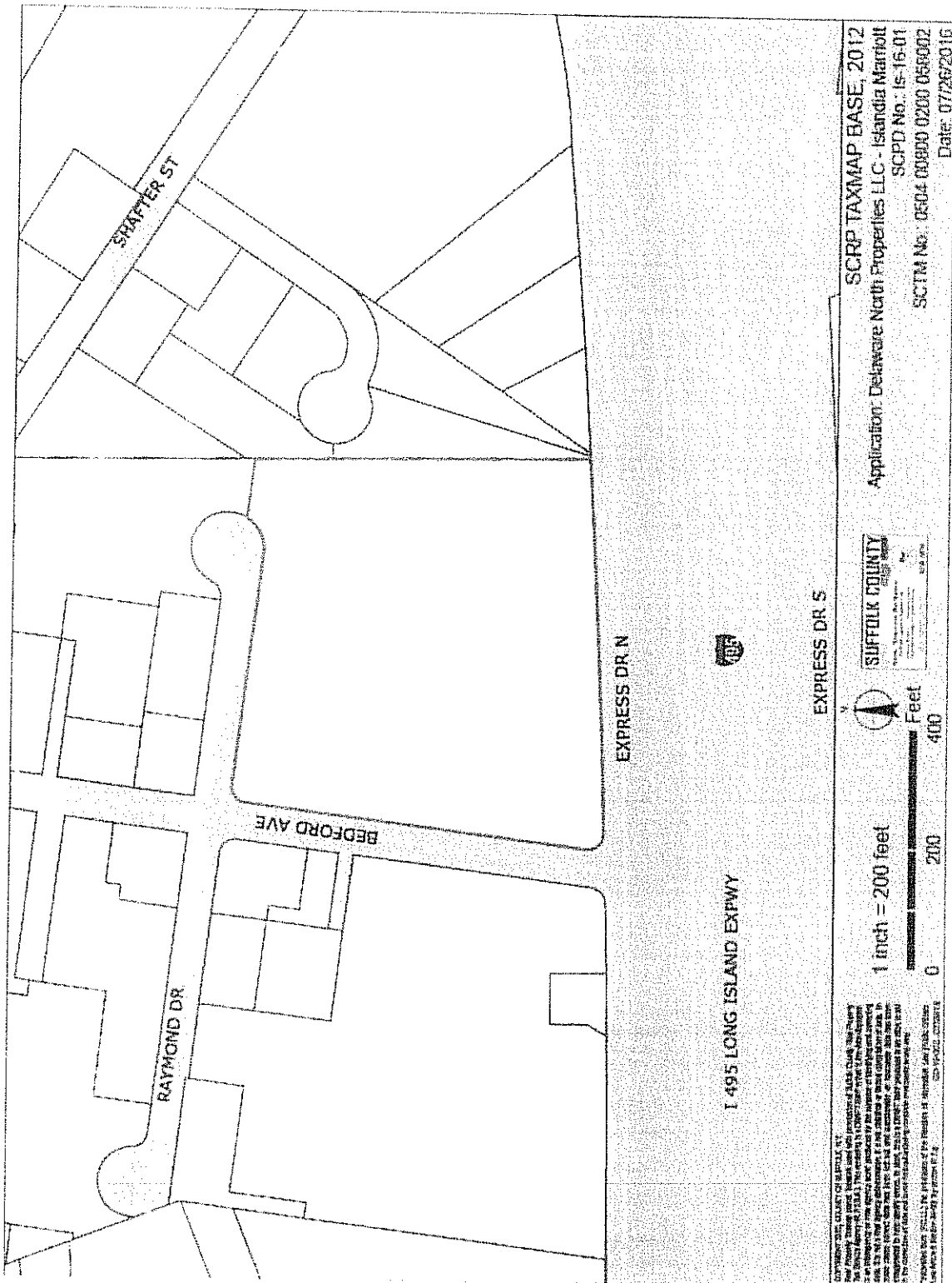
SF criteria).

The current referral to the Suffolk County Planning Commission does not trigger any of the Commission's established "Regionally Significant Criteria" as described in the Suffolk County Planning Commission Guidebook (Chapter 1.3, pg. 8).

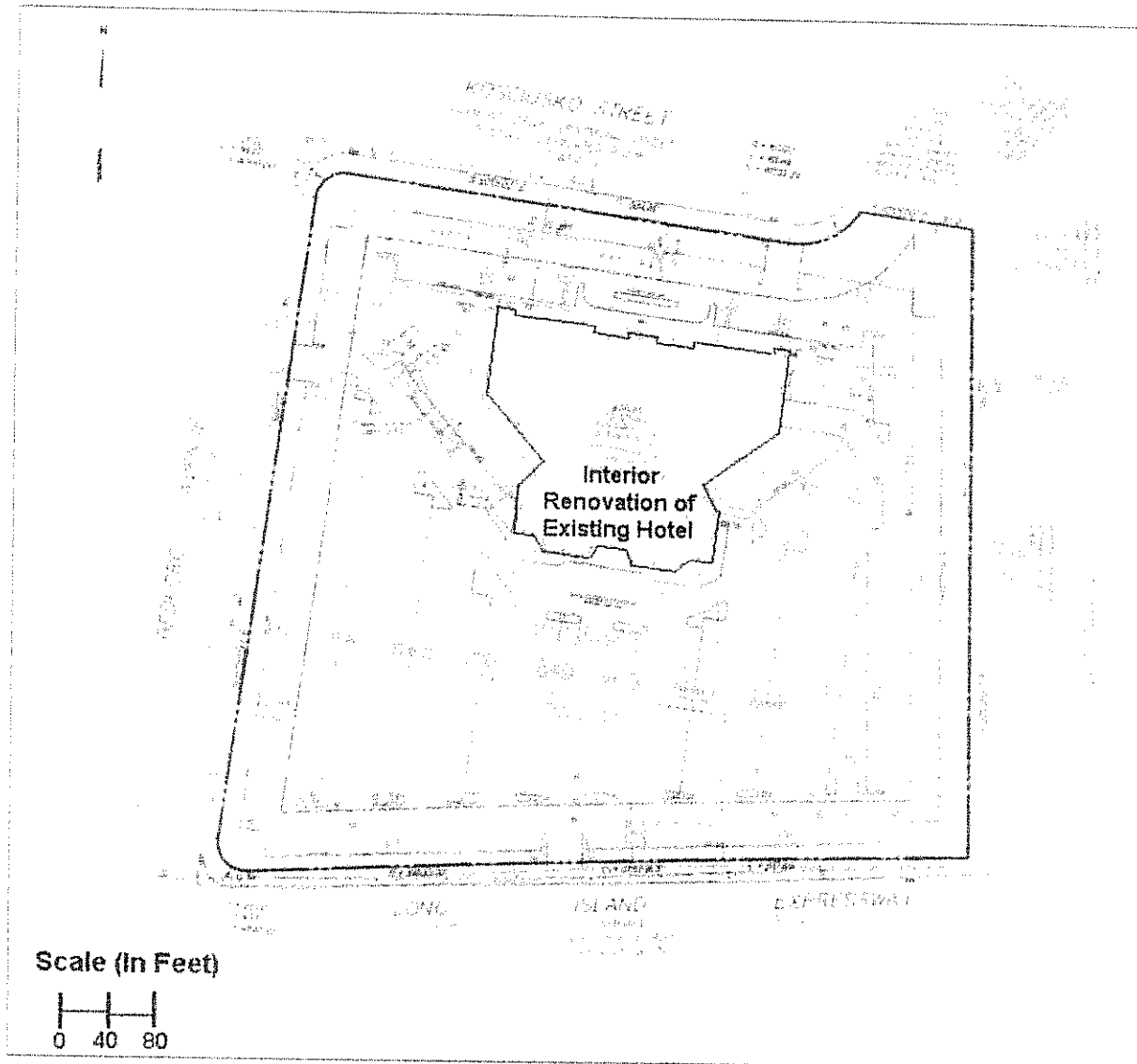
### STAFF RECOMMENDATION

**Local Determination** of the Special Permit for Delaware North Islandia Properties LLC with the following comments:

1. The applicants should be encouraged to review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.
2. Waste water treatment and disposal issues should be reviewed with the Suffolk County Department of Health Services and the Department of Public Works as early as possible.
3. The applicant should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein applicable to non-residential uses.
4. The applicant should be encouraged to contact the Suffolk County Department of Public works to review potential impacts to CR 67, Motor Parkway and other county roadways in the vicinity.
5. The applicant should contact Suffolk County Transit and explore bus service to the indoor recreation facility.
6. The applicant should contact the NYS DOT with respect to traffic studies and access to the subject site from the State ROW.
7. The applicant should be encouraged to establish shuttle service to LIRR stations and Suffolk County Transit locations.
8. The applicant should review the Planning Commission guidelines particularly related to public safety and incorporate into the proposal, where practical, design elements contained therein.
9. The petitioners should review the Planning Commission guidelines particularly related to universal design and incorporate into the proposal, where practical, design elements contained therein.







Z-2: North Delaware Islandia Properties LLC – Islandia Marriott  
SCPD: Is-16-01  
SCTM No: 0504-008.00-02.00-058.002